

PUBLIC MEETING: DISPOSITION SHEET

FRANCHISE AND CONCESSION REVIEW COMMITTEE

WEDNESDAY, AUGUST 9, 2017 @ 2:30 P.M.

2 LAFAYETTE STREET, NEW YORK, NY

NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES

No. 1: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee (“FCRC”) approval authorizing NYC & Company, Inc., on behalf of the New York City Department of Small Business Services (“SBS”) to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, for SBS to enter into a non-exclusive, Sole Source License Agreement (“License Agreement”) with Fire Replicas, LLC (“Fire Replicas”) for the non-exclusive use of city-owned trademarks on merchandise. The License Agreement will provide for a license term beginning on October 1, 2016 and shall continue through July 15, 2020 with an option for the City to renew the License Agreement on substantially the same terms and conditions, in its sole discretion, for two (2) years. For each license year of the initial term, Fire Replicas shall pay royalties equal to five (5%) of Net Sales (as defined in the License Agreement). The License Agreement provides for a guaranteed minimum royalty of fifteen thousand dollars (\$15,000) covering the period from October 1, 2017 to July 15, 2020.

RESULT: Resolution Adopted (5-0) (On behalf of the Borough Presidents, vote cast by Staten Island Borough President)

NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION

No. 2: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to negotiate a Sole Source License Agreement (Agreement) with Bryant Park Market Events, LLC d/b/a Upsilon Ventures for the renovation, operation and maintenance of a food service facility inside a vacant comfort station located in the Allen Street Mall, Manhattan, and for the development and maintenance of the landscape of the Allen Street Mall plaza between Delancey Street and Rivington Street, Manhattan. It is anticipated that the term of the Agreement would be twenty (20) years.

RESULT: Resolution Adopted (5-0) (On behalf of the Borough Presidents, vote cast by Manhattan Borough President)

NEW YORK CITY DEPARTMENT OF TRANSPORTATION

No. 3: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to enter into a License Agreement (“Agreement”) with the Open Space Alliance for North

Brooklyn, Inc. (the “Open Space Alliance”) for the operation, management, and maintenance of a pedestrian plaza located on Union Avenue between North 10th Street and North 12th Street in the Borough of Brooklyn (“Licensed Plaza”), including through DOT-approved events, sponsorships, and subconcessions, including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that helps brand or promote the neighborhood or Open Space Alliance, and other similar merchandise within the Licensed Plaza.

RESULT: Resolution Adopted (5-0) (On behalf of the Borough Presidents, vote cast by Brooklyn Borough President)